

**MINUTES  
COLUMBUS PLAN COMMISSION MEETING  
SEPTEMBER 5<sup>th</sup> 2007 AT 4:00 P.M.  
MEETING HALL, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present:** Dave Fisher (President), John Hatter, Brian Russell, Dave Bonnell, Jesse Brand, Roger Lang, Steve Ruble and Tom Finke (County Liaison).

**Members Absent:** Bryan Haza, Pat Zeigler, Tom King, and Joan Tupin-Crites.

**Staff Present:** Jeff Bergman, Sondra Bohn, Laura Thayer, Thom Weintraut, Heather Pope, and Alan Whitted (Deputy City Attorney).

**CONSENT AGENDA**

Minutes of the August 1, 2007 meeting.

Motion: Mr. Russell made a motion to approve the minutes with a correction on page one. Mr. Bonnell seconded the motion and it carried unanimously by voice vote.

**OLD BUSINESS REQUIRING COMMISSION ACTION**

**PP-07-07: HUNTERS RIDGE MAJOR SUBDIVISION-** a request by Thompson Development LLC to subdivide 25.24 acres into 27 lots. The property is located on the east side of Terrace Lake Road 475 feet south of Carr Hill Road in the City of Columbus.

Mr. Weintraut presented the staff information on this request.

Mr. E.R. Gray with E.R. Gray & Associates and Robert Thompson represented the petitioner.

Mr. Gray stated that there were not many technical issues that need to be addressed. He stated that they would comply with the items listed by the City Engineer's Office and the Planning Department in the staff comments. He stated that the Planning Department supports the modification for the Type A buffer provided for lots 1 & 2.

Mr. Gray stated that they had appeared before the Plan Commission at the June 2007 meeting and the petition was continued so the adjoining property owners would have a chance to review the proposal. At the July 2007 meeting, Mr. Gray stated that they were requested by the Plan Commission to present another proposal that would delete the connectivity between Suburban Court and the proposed new street. Mr. Gray stated this was their fourth meeting and they have made the modifications as requested by the Plan Commission. He stated that they would ask for approval of this petition.

Mr. Fisher opened the meeting to the public.

Mr. Carl Good expressed his approval regarding the plan that Mr. Thompson has proposed and expressed concern about flooding.

Mr. Mark Gorbett stated that he approved of the plans that were submitted at this meeting for the development. Mr. Gorbett stated that it was his opinion that the neighbors that live on Suburban Court would approve of these changes.

Mr. Larry Love expressed concerns about the increase in the traffic volume on Goeller Boulevard because of all the new housing developments that were taking place.

Mr. Fisher closed the meeting to the public.

Mr. Brand asked if the Plan Commission had the authority to approve something that did not meet the Subdivision Control Ordinance. Mr. Whitted stated yes. Mr. Whitted stated it would be important to ask for some findings in the motion if this is the will of the Plan Commission members. He stated anytime when not following the Ordinance it would be important to have those kinds of findings in place for future use.

Mr. Bergman stated there were six criteria for modification. Mr. Brand asked if the petition did not meet the first one would there be a need to go further down the list. Mr. Bergman stated no.

Mr. Bergman stated that it was the position of the staff that the subdivision is required to meet the minimum standards of the Subdivision Control Ordinance. He stated if those minimum standards are met and there is no other hazards identified that it is the obligation of the Plan Commission to approve the plat. In addition, the Subdivision Control Ordinance provides guidance for situations for which modifications should be approved. He stated that staff has reviewed the request without a street connection in the context of these modification criteria. Mr. Bergman stated that staff did not believe that the criteria for modification would be met if the connection did not occur. He specifically stated that not having the connection would be detrimental to public health, safety and welfare. He stated that staff did not believe the modification was justified because of some topography or other physical conditions unique to the site that would merit such a modification. Mr. Bergman stated that by omitting the connection it is not consistent with the Comprehensive Plan and staff would recommend denial of this request.

Mr. Ruble stated he had the same concerns the first time he heard this request. He stated that they were traffic circulation, emergency access, and neighborhood connectivity issues. He stated he had not seen anything that would change his mind about his petition.

Mr. Russell asked if there were a certain number of lots that would require two forms of egress out of a subdivision. Mr. Bergman stated that the Thoroughfare Plan indicates establishing a 30-lot threshold where the safety concern rises to a level where two points of access and egress are advisable. Mr. Brand stated that the Subdivision Control Ordinance does not talk about the number of lots, but the connectivity is required.

Motion: Mr. Fisher made a motion to approve this request with the understanding that this is a deviation from the guidelines presented in the Ordinances. Mr. Fisher indicated that his motion is based on the comments from the neighbors offered in public hearings, and the number lots in this subdivision, and the proposed connectivity to the property to the east. He stated that the Commission needed to be mindful of the people who own property in the immediate area where

the development is going to occur. Mr. Russell seconded the motion and it failed with a vote of 4-2 with Mr. Brand and Mr. Ruble being the nay votes.

Mr. Fisher stated the request would be continued to the October 2007 meeting.

#### **NEW BUSINESS REQUIRING COMMISSION ACTION**

**RZ-07-07: R. GORDON MILLER REZONING** – a request by R. Gordon Miller to rezone a property of 7.88 acres from B-1 (Neighborhood Business) to B-5 (General Business). The property is located on the north side of County Road 450 South, 616 feet west of County Road 175 West or, more specifically, at 2120 West County Road 450 South in the City of Columbus.

Mr. Fisher read a letter from Mr. Jeff Rocker, Attorney requesting a continuance to the October 2007 meeting.

Motion: Mr. Bonnell made a motion to continue this request to the October 2007 meeting. Mr. Ruble seconded the motion and it carried with a vote of 6-0.

**RZ-07-08: HOLMES AND CONWELL REZONING** – a request by Todd and Joyce A. Holmes and Todd Conwell to rezone a property of 14.81 acres from R-3 (Single Family Residential) to R-7 (Multi Family Residential). The property is located on the west side of I-65, 450 feet south of Two Mile House Road in the City of Columbus.

Mr. Bergman stated that petitioners have requested a continuance to the October 2007 meeting.

Motion: Mr. Hatter made a motion to continue this request to the October 2007 meeting. Mr. Russell seconded the motion and it carried with a vote of 6-0.

**ANX-07-04: RORY AND JILL GLICK ANNEXATION** – a request to annex 9.82 acres to the City of Columbus. The property is located on the south side of County Road 200 South at the intersection of Terrace Lake Road and County Road 200 South, in Columbus Township.

Ms. Pope presented the staff information on this request.

There was no one present to represent the petitioners.

Mr. Bergman stated that if there is not an individual to represent the request it normally would be continued to the next meeting. Mr. Bergman stated it was his opinion that there was a misunderstanding and the applicants did not know they were to be present at this meeting. He stated he would recommend taking action on the request at this meeting. Mr. Whitted stated this was appropriate. Mr. Bergman stated that staff would recommend approval of this request.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Motion: Mr. Brand made a motion to send a favorable recommendation to the City Council for this request. Mr. Bonnell seconded the motion and it carried with a vote of 6-0.

Mr. Roger Lang arrived at this time.

**PUDF-07-07: VILLAS OF STONECREST** – a request by Lohan Development Company, LLC for approval of a Final Planned Unit Development plan for a property of 40 acres. The property is located on the south side of County Road 300 North approximately 1300 feet west of Talley Road in the City of Columbus.

Mr. Bergman stated the process was started a few months ago to rezone the property to a Planned Unit Development, which is a two-step process. He stated that the first step is review and approval of the Preliminary PUD, which deals with the major concepts and that, requires a recommendation of the Plan Commission to the City Council for rezoning, which has occurred. He stated the second step in the Planned Unit Development process is the preparation of a detailed Planned Unit Development set of documents, which completes the process. He stated that a Planned Unit Development is subject to the Subdivision Control Ordinance. Mr. Bergman stated that the next item on the agenda is the Preliminary Plat for the development, which is just like what the Plan Commission would see for any other zoning district that would require platting.

Mr. Weintraut presented the staff information on these two requests.

Mr. Pete King, Attorney and John J. Harrison with Holloway Engineering & Surveying represented the petitioners.

Mr. King stated they are excited about the property and much work has been accomplished in the last sixty days to move this project forward. He stated that they have tried to address all the comments to the best of their ability and because much of it is technical, he asked Mr. Harrison to address some of the outstanding comments that remain.

Mr. Larrison stated he had worked closely with staff and some of the technical issues have already been addressed or are in the process of being addressed with the Planning Department and the City Engineer's office. He stated that the sidewalks and the ramp situation could be accommodated. He stated that sidewalks would be provided along all public and private streets that would include County Road 300 North.

Mr. Larrison stated that parking inside the circle would be restricted and no outside parking there would be allowed. He stated additional parking would be provided to the east and west when they have social functions at the clubhouse. Mr. Ruble stated there was sufficient width to accommodate the parking the parking on the inside. Mr. Larrison stated there would be ample space available for those that would be walking on the sidewalks or driving in the community.

Mr. Larrison stated that a copy of the signage plan was passed out at this meeting. Mr. Bergman stated that the preliminary PUD did not show the specific size of the signage so staff was unable to measure the consistency of the detail that is being presented at this meeting. He stated that staff did not have any objection to the size of the signs as presented. Mr. Larrison stated that both entrances would have a sign.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Ruble stated the City Engineer's Office was working with the petitioner and their design professional on all of the Engineers comments. He stated that if the Commission sees fit to approve this petition tonight contingent on meeting the remainder of those comments he is comfortable with that.

Mr. Bergman stated that staff had received earlier in the day a detailed design for the entrance gate. He stated that a note appears on the drawing in regards to the sidewalk gates that indicates there will be a key lock on the outside and a manual release lever inside. Mr. Bergman asked if a pedestrian wanted to visit from Monument Drive would he or she have the ability to call the person inside. Mr. Larrison stated that they will have a key pad and if you know the code, you will be able to contact them. Mr. Larrison stated there would be a sidewalk leading up to the gate.

Mr. Bergman stated that he would recommend approval of this request subject to all staff comments and technical issues being addressed.

Motion: Mr. Ruble made a motion to approve the Final PUD for Villas of Stonecrest subject to the following conditions: (1) Update the final gate details to include a detail of the Monument Drive entrance and show the pedestrian keypad. Also, remove the photo that is not consistent with the sidewalk pedestrian entrance, (2) The Final Plan should label the entrances as gated, (3) The drainage easement located on the south end of the Ketner property should be labeled and have record information, (4) The planting notes and details on sheets L101, L102 and L801 should be removed from the final record document, (5) The curb ramp at the street crosswalks should be designed to parallel the centerline of the adjacent street, (6) Show the parking arrangement for the community building that was approved by the City Engineer's office and show where parking will be restricted, (7) Remove wording in sign notes on page L801 stating that signs to be approved by owner. Dimensions showing the overall height of the signs should be provided (8)

Provide notes describing the height, square footage and location of all signs, as approved by the Plan Commission, on the first page of document. The sign height, dimensions and locations shown on sheet L801 and described in the staff report were acceptable and approved by the Plan Commission, (9) The elevations detailing the wall, columns and fencing should be consistent with the notes establishing the design, materials and height of the wall, fence and columns, (10) Page three can be deleted from the record materials, (11) In the Plan Commission Certificate remove the words Detailed Site Plan and the reference to the City Council Adoption, (12) Provide updated drawings with the landscaping removed from the electric transmission line easement. Mr. Russell seconded this motion and it carried with a vote of 7-0.

**PP-07-08: VILLAS OF STONECREST MAJOR SUBDIVISION** – a request by Lohan Development, LLC to subdivide 39.02 acres into 145 lots. The property is located on the south side of County Road 300 North approximately 1300 feet west of Talley Road in the City of Columbus.

Mr. Thom Weintraut presented the staff report on this request.

Mr. Pete King, Attorney and John J. Larrison with Holloway Engineering & Surveying represented the petitioners.

Mr. Larrison stated that they have proposed a nice mix of landscaping that will not over power the

residents. He stated it was his opinion that they have provided adequate landscaping for this project and that the ornamental fencing would be a visual benefit to the community. The Homeowners Association would maintain the landscaping.

Mr. Larrison stated, regarding the landscape easement along the west side of the property that overlaps the electrical transmission line easement, that they were in negotiations with Duke Energy and the results were that the fence would be allowed to encroach onto the easement 10 feet. He stated that the landscaping could not be placed in the remaining 40 feet. Mr. Larrison stated they would present a letter to the Planning Department from Duke Energy.

Mr. Whitted asked what Lohan Development was requesting from Duke Energy for approval of erecting the fence in the easement. Mr. King stated Duke would be providing them a letter that he would review. He stated that the letter would be recorded and Planning Staff would receive a copy for the file.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated he was interested in seeing the information from the final PUD updated to reflect the comments on the landscaping on the west side. He stated it was not necessary for staff to become involved in any item that needs to be recorded, but would like to have a copy of the letter regarding the easement with Duke Energy. Mr. Bergman stated that he would recommend approval, with all the technical comments addressed.

Motion: Mr. Bonnell made a motion to approve this request subject to the following conditions:  
(1)

Relief from Section 16.24.160 (E) of the Subdivision Control Ordinance requirement that a "Type A" buffer be installed along one frontage of all double frontage lots. The alternate landscape proposal approved as part of the PUD Final plan is adequate along the frontage of County Road 300 North, (2) A letter from Duke Energy shall be provided stating that the fencing will be permitted in the electrical transmission line easement, (3) Crosswalks and sidewalks shall be designed to continue parallel to the centerline of the adjacent street, (4) A revised preliminary plat shall be provided with all outstanding technical comments addressed. Mr. Ruble seconded the motion and it carried with a vote of 7-0.

## **DISCUSSION ITEMS**

Mr. Bergman stated that the Plan Commission would need to appoint a new member to the Joint District Plan Commission as Mr. Mike Ryan would be moving out of State. Mr. Fisher asked that suggested names of people who might be willing to serve be given to Mr. Bergman

Mr. Bergman stated that the other member who may be leaving the Joint District Plan Commission would be Jack Heaton. Even though he no longer serves on the City Plan Commission, he still would be eligible to serve on the Joint District Plan Commission. Mr. Bergman stated he would contact Mr. Heaton to see if he would be willing to continue to serve and inform the members at the next meeting.

Mr. Bergman stated that Mr. John Hatter had agreed to accept the appointment to the Plat Committee meeting if the starting time could be moved to 8:00 a.m. instead of 8:30 a.m. Mr. Bergman stated they would be notifying the proper entities regarding the change and report back to the Plan Commission at the next meeting.

#### **DIRECTOR'S REPORT**

Mr. Bergman stated that The City had hired two new employees to fill the Associate Planner positions. He stated their names were Rae-Leigh Stark and Emilie Pannell. Rae-Leigh is a graduate of the University of Cincinnati with a degree in Planning. Emilie is a graduate of the University of Illinois with a degree in Planning. He stated that with the addition of these new employees there would be some reassignment of tasks and reorganization within the Department.

#### **LIAISON REPORTS**

**ADJOURNMENT: 6:00 P.M.**

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**David L. Fisher, President**

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**Steve Ruble, Secretary**